



Guidelines for Operating a Residential Kitchen

A food establishment permit must be obtained if food is prepared in or distributed from a residential kitchen for sale according to the **Massachusetts State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments 105 CMR 590.009 (2) (a)**. At this time, your establishment does not have a food establishment permit therefore any and all food production (if any) must cease. Prior to obtaining a food establishment permit, the following must be provided to the Newton Health Department:

- ◆ A written clearance from the Inspectional Service Department – Zoning section stating that the intended business meets zoning requirements. Inspectional Services is located at City Hall in Newton, 1000 Commonwealth Avenue, second floor. Phone number (617) 796-1060.
- ◆ An intended list of food(s) to be prepared or distributed shall be submitted to the Health Department. Be advised that only non-potentially hazardous foods and foods which do not require refrigeration and / or a variance shall be prepared in or distributed from a residential kitchen for sale to the public (baked goods, confectioneries, jams, jellies, cakes and cookies).

The use of brokers, wholesalers and warehouse by residential kitchen operators to store, sell and distribute foods prepared in residential kitchens is prohibited.

Food products made in residential kitchens may not be sold-out-of state (FDA does not recognize these foods as origination from an approved source).

Wholesale operations (selling to retail stores, restaurants etc.) require a food processor license obtained from the State of MA food protection program. Phone number (617) 983-6770. Website: www.gov/dph/fpp

- ◆ Foods must be obtained from approved sources. List sources of all ingredients used.
- ◆ Describe where the food and the ingredients will be stored.
Ingredients shall be stored separately from “private use” foods.

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- ◆ How sinks will be used within the household.
The kitchen sink may NOT be used for hand washing after toilet use but may be used for food preparation and ware washing provided it is cleaned and sanitized prior to and between use.
- ◆ Note that only immediate family members residing in the household may prepare food for retail sale in a residential kitchen.
- ◆ Describe food contact surfaces and how they will be cleaned and sanitized and where soiled equipment will be stored prior to washing.
A domestic or home style dishwasher may be used provided the use of a maximum registering thermometer or a heat thermal label to determine the internal temperature is a minimum of 150°F after the final rinse and drying cycle. Records of this testing shall be kept on file for 30 days.
- ◆ Pets may be present on the premises, but shall be kept out of food preparation and dining areas during food preparation and service to the public.
List pets that live and / or visit the household.
- ◆ Submit a sketch of the proposed kitchen, preparation and storage areas.
- ◆ Food employees shall conform to employee health and hygiene requirements.
- ◆ The operator of the residential kitchen shall obtain certification as food safety manager by passing a test that is part of an accredited program recognized by the Department. In addition obtain a certificate in Food Allergen Awareness Training.
www.mass.gov/dph/fpp

The following shall be submitted to the Newton Health and Human Services Department:

Completed application including the above information

\$50.00 plan review fee

\$150.00 license fee (payable to the “City of Newton”). All Fees are NON REFUNDABLE.

A copy of Food Managers and Allergy Awareness Certificates

Production of food cannot take place until all of the above has been submitted and approved by the Newton Health and Human Services Department.

If you have any questions please call the Newton Health Department at (617) 796-1420.

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F/Environmental Section/ All PDF